

REMARKS

Applicants respectfully request reconsideration of this application in view of the following remarks.

Claims 9, 11-14 and 16-17 are pending in this application. No amendments to the claims are presently being made.

The Office maintains (a) its objection to the specification for incorporating subject matter from WO 92/19759 and (b) the related rejection of claims 9, 11-14 and 16-17 for allegedly transgressing the written description requirement of 35 U.S.C. § 112. According to the Office, one skilled in the art would have difficulty identifying the relevant description of hPM-1 antibodies in WO 92/19759 that is being incorporated into the present application. Applicants respectfully traverse.

As Applicants previously explained, this application sufficiently identifies the relevant portions of WO 92/19759. The application specifically references WO 92/19759 for disclosure of hPM-1, or humanized PM-1, antibody. See page 10, line 35 – page 11, line 2. This is a major aspect of WO 92/19759, and humanized PM-1 antibody is described throughout that document. See, e.g., col. 2, ll. 45-54; col. 3, ll. 29-41; col. 8, ln. 63 – col. 21, ln. 42; col. 22, ln. 34 – col. 23, ln. 43; Examples 7-17; claim 3 and claim 6 of U.S. Patent 5,795,965, which issued from the U.S. national stage of WO 92/19759.

Although WO 92/19759 does not recite the term “hPM-1,” it is clear from the present application’s reference to that document that WO 92/19759 describes preferred reshaped human antibodies. A person of ordinary skill in the art could easily select such a preferred antibody from the reshaped human PM-1 antibodies described in WO 92-19759. The claimed invention is supported by the discovery that inhibiting the biological activity of IL-6 will stunt synovial cell growth and treat rheumatoid arthritis. Reshaped human (humanized) antibodies exhibiting high binding activity to IL-6R are therefore preferred for use in the invention, and the higher the binding activity to IL-6R, the better. Example 11 of WO 92/19759 evaluated the binding activity for IL-6R of several reshaped human PM-1 antibodies, and showed that antibodies having the presently claimed combination of L chain (versions (a) or (b)) and H